

IN THE UNITED STATES DISTRICT COURT
FOR THE Middle District of ALABAMA
Northern Division.

RECEIVED

Honorable Chief Magistrate Charles S. Coody,

Comes Now Plaintiff Dwone Harrison in response
to ordered in which it was ordered to show cause
why this case [2:07-cv-301-ID] should ~~Not~~ be
dismissed for failure to pay the initial partial filing
fee in compliance with the order entered on April 12,
2007.

Chief Magistrate Judge,
Plaintiff has complied with authorization which was
ordered by the courts to withdraw funds from his prison
account for payment of the initial partial filing fee and
the 20% deduction for \$350.00. Plaintiff's account has
no funds available at this moment to transfer initial
partial filing fee and the 20% deduction. Plaintiff funds
will be transferred immediately to the courts when received
on the account. Plaintiff receives no pay for his job
assignment by the Dept. of Correction. Plaintiff do wish to
continue with this cause of action against the defendant.

Plaintiff do not wish or advise the court to dismiss.
Plaintiff is unable to comply at this time with the
order directing payment of an initial partial filing
fee set for May 18, 2007. I have included a document
in which plaintiff did authorize removal of funds to the
court.

Done, this 12th day of May 2007.

Respectfully,
Dwone Harrison

Question for the Chief Magistrate Judge.

Do Plaintiff have to keep requesting the courts for extensions on paying initial partial Filing Fee when Plaintiff has been already granted forma pauperis

**NOTICE OF INTENT TO WITHHOLD
COURT ORDERED WITHHOLDING FROM PMOD FUNDS**

TO: DWONE C. HARRISON, #193689
Inmate Name and AIS Number

FROM: VALERIA SPATEZ, PMOD CLERK
~~Business Manager~~

SUBJECT: Court Ordered Withholding

This is to advise you that an Order from U.S. MIDDLE DISTRICT Court, case number 2:07-cv-301-PD has been received directing the Alabama Department of Corrections to withhold \$ 350.00 from your PMOD account. A copy of the Order is attached to this notice.

~~You are entitled to a Fair Hearing prior to assessment of these charges. Your PMOD account has been frozen pending the outcome of this hearing. The hearing is scheduled for the date of _____ at _____ (a.m.) (p.m.) in my office or other convenient place to be determined. At that time, you may produce any evidence you have to show why compliance with the Order should not be had. In the alternative, you may waive this hearing by completing the attached Fair Hearing Waiver, ADOC Form 112-B.~~

Received: Valeria Spatez

Date: 5/15/07

Distribution: Original to Business Office
Copy to inmate

THIS IS A NOTICE. A HEARING IS NOT NECESSARY.

ADOC Form 112-A

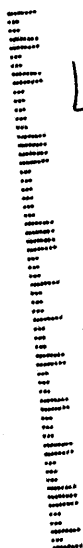
Dwone Harrison
3800 Fountain
Aptmore, AL 36503

#193689 / D-Dorm

LEGAL

36101-0711

Office of the Clerk
United States District Court
P.O. Box 711
Montgomery, AL 36101-0711



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